

1 STEVEN DRAPKIN (STATE BAR NO. 73332)
2 Email: sdrapkin@sdrapkin.com
3 LAW OFFICES OF STEVEN DRAPKIN
4 11377 West Olympic Boulevard, Suite 500
Los Angeles, California 90064-1683
(310) 445-9600 Telephone
(310) 914-7959 Facsimile

5 Attorney for Defendant Continental Airlines, Inc.

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8 **UNITED STATES DISTRICT COURT**

9 **SOUTHERN DISTRICT OF CALIFORNIA**

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11 DEREK CARDER, an individual, MARK) Case No. 09 CV 1448 DMS (BLM)
12 BOLLETER, an individual, DREW)
13 DAUGHERTY, an individual, and) Assigned to Hon. Dana M. Sabraw
14 ANDREW KISSINGER, an individual, on) [Complaint Filed July 2, 2009]
behalf of themselves and all others similarly)
situated,)
15 Plaintiffs,)
16 v.)
17 CONTINENTAL AIRLINES, INC., a)
Delaware corporation; and DOES 1 through)
100, inclusive,)
18 Defendant.)
19 _____)

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1 TO: PLAINTIFFS AND THEIR COUNSEL OF RECORD

2 PLEASE TAKE NOTICE that on August 28, 2009, at 1:30 p.m. as soon thereafter
3 as the motion can be heard in the courtroom of United States District Judge Dana M. Sabraw,
4 located at 940 Front Street, San Diego, CA 92101, pursuant to 28 U.S.C. § 1404(a), defendant
5 Continental Airlines, Inc. (“Continental”) will move to transfer this action to the United States
6 District Court for the Southern District of Texas.

7 This motion will be based on the this notice, the attached memorandum of points
8 and authorities, the attached declaration of Fred Abbott, reply papers to be filed, the papers in
9 the Court’s file and argument to be presented at the hearing.

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11 Dated: July 30, 2009

LAW OFFICES OF STEVEN DRAPKIN
STEVEN DRAPKIN

13 s/ Steven Drapkin

14 By _____

15 Steven Drapkin

16 Attorney for Defendant
Continental Airlines, Inc.

17 Email: sdrapkin@sdrapkin.com

PROOF OF SERVICE

Steven Drapkin declares as follows:

1. I am an attorney admitted to practice before this Court and am counsel of record in this action for defendant Continental Airlines, Inc. ("Continental"). The following facts are stated based on my personal knowledge and I could so testify if called to do so.

2. All four of the counsel of record for plaintiffs named on the Complaint are registered ECF users. I am serving the within NOTICE OF MOTION as per the ECF system.

3. I also sent a courtesy copy of the NOTICE OF MOTION to all counsel via email on July 30, 2009.

I declare under penalty of perjury that the above facts are true and that this declaration was signed at Los Angeles, California, on July 30, 2009.

s/ Steven Drapkin

Attorney for Defendant
Continental Airlines, Inc.

Email: sdrapkin@sdrapkin.com